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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,035	01/29/2004	Darron Jack Stepanich	50037.210US01	7248

27488 7590 07/24/2009  
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EXAMINER
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SAEED, USMAAN

ART UNIT	PAPER NUMBER
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2166

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/768,035	<b>Applicant(s)</b> STEPANICH ET AL.	
	<b>Examiner</b> USMAAN SAEED	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Receipt of Applicant's Amendment, filed 4/14/2009 is acknowledged.

Claims 1, 10 and 18 have been amended and claims 1-22 are pending in this office action.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Padawer et al.** (**Padawer** hereinafter) (U.S. PG Pub No. 2002/0052196) in view of **Grossman et al.** (**Grossman** hereinafter) (U.S PG Pub No. 2004/0119760).

With respect to claim 1, **Padawer teaches a method for providing contacts to a device, comprising:**

**“obtaining a search input from an input field to locate a contact; wherein the search input is a single character”** as FIG. 2B illustrates the display 200B after the user has entered a "5" in the input field 201B. The focus frame 203B remains over the input field 201B thus allowing this input. In response, the filtered output field 202B then presents an appropriate speed dial entry corresponding to the single digit (**Padawer Paragraph 0053**).

**“accessing each of the contacts within at least three contact lists from the device wherein accessing contacts from the device includes accessing a contacts database and a call log”** as in this description, database A, B and C will often be referred to as a contacts, speed dial, and call log database, respectively. Also, although three databases are shown, the present invention may work with other numbers of databases as well (**Padawer Paragraph 0066**).

**“wherein the contact lists are automatically accessed without obtaining user input”** as for allowing a user to enter a request, such as dialing input, without having to specify, or otherwise commit to, a particular request method (**Padawer Abstract**).

**“concatenating each of the contacts from each of the accessed contact lists to create a single concatenated list of contacts”** as (**Padawer Figure 3**).

**“wherein at least some of the contacts within the single concatenated list of**

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**contacts include information consisting of only a name and an email address”** as output field 202 where perhaps only a telephone number and an associated name are ultimately displayed (**Padawer** Paragraph 0073).

**“searching the concatenated list for any information within each of the accessed contacts to locate relevant contacts that include the search input wherein the information within each contact is searched includes all information contained within the contact”** as the filter 313 then filters the first concatenator output 402 using the request data entered in the input field 201 as the filtering parameter. In one embodiment, the filter 313 checks for a match against any parameter that the user may intend for the filter to match against. For example, when entering dialing input into input field 201, the user may intend to enter a telephone number with the area code first, enter a telephone number without the area code, enter the first name of a desired callee, enter the last name of a desired callee, or the like. The filter 313 filters against all these parameters (**Padawer** Paragraph 0077). **“wherein the information can include a first name, a last name, a title, a company, a fax number, a mobile number, an email address, an IM user address and a note included within the contact”** as a contacts database may have a name, title, company, fax number, mobile number or address associated with each telephone number. A speed dial database may also include an associated speed dial number. A call log database may also include the call date time and duration (**Padawer** Paragraph 0067).

**“unifying the relevant contacts and providing the unified contacts in a specific ordering within a display; wherein the unified contacts are ordered from**

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**top to bottom in the display as follows: speed dial contacts (in numbered order);**

**recent calls (alphabetically then ascending order); pinned contacts**

**(alphabetically); regular contacts (alphabetically); and SIM contacts**

**(alphabetically)”** as the response data may originate from a variety of different

databases having different data formats. Once the various response entries are

received back from the filter, the entries are passed to a data interface that then formats

the entries to appear homogeneous despite being from different databases. The

homogeneous data structures are then used to render the display thus resulting in a

unified appearance to the user (**Padawer** Paragraph 0019-0020, 0043, 0066-0067 and

figures 3, 4A-4D).

**“monitoring the input field to determine when a new search input is entered and automatically updating the contacts in response to the new search input” as (**Padawer** Figures 2A-2F).**

**Padawer** teaches the elements of claim 1 as noted above but does not explicitly disclose **“wherein the contact lists are automatically selected based on what application received the search input,” “contacts include information consisting of only a name and an email address” and “contacting a user from the provided unified contacts using any of the available contact methods available to that user; wherein the available contact methods include telephone, email, short messaging service (SMS) and instant messaging (IM).”**

However, **Grossman** teaches “**wherein the contact lists are automatically selected based on what application received the search input**” as (**Grossman Paragraph 0049**).

“**contacts include information consisting of only a name and an email address**” as (**Grossman Figure 4**).

“**contacting a user from the provided unified contacts using any of the available contact methods available to that user; wherein the available contact methods include telephone, email, short messaging service (SMS) and instant messaging (IM)**” as (**Grossman Paragraphs 0050 and 0063**).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because **Grossman’s** teachings would have allowed **Padawer** to provide an efficient contact searching system by providing a plurality of different contacts to be aggregated from numerous data stores into a single contact management system.

With respect to claim 2, **Padawer** teaches “**removing duplicate contacts from the concatenated list**” as (**Padawer Figures 4A-4D**).

With respect to claim 3, **Padawer** teaches “**creating a non-duplicate version of at least one of three contact lists by removing contacts from the at least one of the contact lists that appear in one of the other at least three contact lists that is accessed**” as (**Padawer Figure 4A-4D**).

With respect to claim 4, **Padawer** teaches “**wherein accessing contacts from the device further comprises accessing all of the contacts stored on the device**” as (**Padawer** Paragraph 0072).

With respect to claim 5, **Padawer** teaches “**wherein obtaining the search input may include obtaining at least one input selected from a character, number, and icon**” as (**Padawer** Figures 2A-2F).

With respect to claim 6, **Padawer** teaches “**wherein searching the information within each of the accessed contacts further comprises searching a portion of a field within the contact for the search input**” as (**Padawer** Figures 2A-2F).

With respect to claim 7, **Padawer** teaches “**searching a first database for a first portion of relevant contacts, the first portion containing one or more entries from the first database; searching a second database for a second portion of relevant contacts; wherein at least some of the entries in the first portion have a different data structure format than at least some of the entries in the second portion**” as (**Padawer** Figure 4A-4D).

With respect to claim 8, **Padawer** teaches “**wherein accessing contacts from the device further comprises accessing tree or more of the following: a contacts**



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**database, a speed dial database, a call logs database, and a SIM contacts**

**database”** as in this description, database A, B and C will often be referred to as a contacts, speed dial, and call log database, respectively. Also, although three databases are shown, the present invention may work with other numbers of databases as well (**Padawer** Paragraph 0066).

With respect to claim 9, **Padawer** teaches “**the method of claim 2, wherein unifying the relevant contacts further comprises removing duplicates**” as (**Padawer** Figures 4A-4D).

Groups of claims 10-17 and 18-22 are essentially the same as group of claim 1-9, except they set forth the claimed invention as a computer storage medium and a system, and are rejected for the same reasons as applied hereinabove.

### ***Response to Arguments***

3. Applicant's arguments filed 4/14/2009 have been fully considered but they are not persuasive.

In these arguments applicant relies on the amended claims and not the original ones. See above rejections for response to the arguments.

Applicant argues that **Padawer and Grossman** do not teach or suggest “**wherein at least some of the contacts within the single concatenated list of**

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**contacts include information consisting of only a name and an email address,”**  
**“wherein the information can include a first name, a last name, a title, a company,**  
**a fax number, a mobile number, an email address, an IM user address and a note**  
**included within the contact” and “unifying the relevant contacts and providing**  
**the unified contacts in a specific ordering within a display; wherein the unified**  
**contacts are ordered from top to bottom in the display as follows: speed dial**  
**contacts (in numbered order); recent calls (alphabetically then ascending order);**  
**pinned contacts (alphabetically); regular contacts (alphabetically); and SIM**  
**contacts (alphabetically).”**

In response to the preceding arguments examiner respectfully submits that Padawer teaches **“wherein at least some of the contacts within the single concatenated list of contacts include information consisting of only a name and an email address”** as output field 202 where perhaps only a telephone number and an associated name are ultimately displayed (**Padawer** Paragraph 0073).

In these lines Padawer discloses contacts including only a name and a telephone number. Padawer does not teach contact including and email address. However, Grossman teaches in figure 4, contacts including an email address. Therefore the combination of Padawer and Grossman teaches the limitation as a whole.

**“wherein the information can include a first name, a last name, a title, a company, a fax number, a mobile number, an email address, an IM user address and a note included within the contact”** as a contacts database may have a name,

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title, company, fax number, mobile number or address associated with each telephone number. A speed dial database may also include an associated speed dial number. A call log database may also include the call date time and duration (**Padawer** Paragraph 0067).

These lines teach information that could include a name, title, company, fax number, mobile number or address associated with each telephone number. Since the applicant recites “information can include”, therefore all the elements are not required to be taught by the prior art.

**“unifying the relevant contacts and providing the unified contacts in a specific ordering within a display; wherein the unified contacts are ordered from top to bottom in the display as follows: speed dial contacts (in numbered order); recent calls (alphabetically then ascending order); pinned contacts (alphabetically); regular contacts (alphabetically); and SIM contacts (alphabetically)”**as the response data may originate from a variety of different databases having different data formats. Once the various response entries are received back from the filter, the entries are passed to a data interface that then formats the entries to appear homogeneous despite being from different databases. The homogeneous data structures are then used to render the display thus resulting in a unified appearance to the user (**Padawer** Paragraph 0019-0020, 0043, 0066-0067 and figures 3, 4A-4D).

These paragraphs and figures teach providing a unified contact list in a display and this unified contact list includes an ordered list containing contacts from database

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A, then database B, and then database C. Database A, B and C are contacts database, speed dial database, and call log database, respectively. Paragraphs 0008, and 0043 teaches an alphabetical list of contacts and paragraph 0010 teaches speed dial being a numbered order because contact is being dialed using a single or double digit number. Padawer discloses the claimed invention except for the specific order being claimed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have this specific claimed order, sine it has been held that rearranging part of an invention involves only routine skill on the art. In re Japikse, 86 USPQ 70.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to USMAAN SAEED whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Usmaan Saeed/  
Examiner, Art Unit 2166  
July 21, 2009

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Patent Examiner  
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